



## Obama's New Jersey Campaign for Change

# Election Myth-Busters

**Myth #1** Voters who are wearing Obama clothing or other gear will not be allowed to vote.

**Truth** Any registered voter who meets his or her state's requirements to vote has the right to cast a ballot at the polls on Election Day. It is true that wearing campaign gear is not allowed at the polls. Officials do have the authority to tell voters to leave the polling place and it is a disorderly persons offense if they wear partisan gear or electioneer in a poll site, but most do not strictly enforce that as long as the voters are not trying to influence other people in line to vote a certain way. But no matter what, your vote cannot be taken away from you. At most, you will have to take off a button or put a jacket over a T-shirt. You will still be allowed to vote.

**Myth #2** You have to punch Barack's name first and then punch "Straight Democratic" or else the vote for president won't count.

**Truth** The Sequoia Advantage machines used in 19 counties have no straight ticket button at all and all candidates must be individually selected.

**Myth #3** When voters are not in the book of registered voters, they can't vote.

**Truth** They can still vote in the machine if they are on the "supplemental list" of registered voters (those whose registration applications could not be processed in time for the printing of the regular book). If voters aren't on either list but say they registered by October 14, then they have the right to either vote by provisional ballot at the poll site (which may or may not be counted later based on investigation of the registration application) or to request from a judge an order to vote in the machine (which should be granted if they made a good faith attempt to register to vote).

**Myth #4** Voters must show photo identification at the polls.

**Truth** Usually they don't have to show ID, but they should bring ID as a precaution in case they are challenged. Under HAVA, voters who should be asked to show ID are those who registered to vote by mail (not in person) for the first time in the County after January 1, 2003, never voted in a federal election in the County, and never previously showed ID. Voters who fit that description and do not have ID with them should never be turned away. If they can't go home and get ID right away, they should vote by provisional ballot and must bring or fax ID to the County election officials by the close of business on the second day after the election, which is Thursday, Nov. 6th at the close of business, usually 4 or 5 p.m. Acceptable ID is any document that has the voter's name and address on it, including but not limited to driver's licenses (photo or non-photo), student or job identification cards, bank statements, pay checks, or utility bills. Voters who are not voting for the first time could still be challenged, so bring ID as a precaution.

**Myth #5** Voters can be challenged for any reason.

**Truth** It is a crime to challenge voters because of their race, national origin, expected manner of voting, or residence in a particular ward, housing complex, or section of town. The challenger must have a good faith basis for making the challenge, i.e. they must know or 'reasonably believe' the voter is not qualified to vote. If a challenge is made and the board ties 2-2, the voter can still vote on the machine. If the poll workers accept the challenge and find the voter not qualified, the

poll workers and challenger must sign and give the voter affidavits citing the grounds for challenge so the voter may go to a Superior Court judge to seek an order allowing him or her to vote.

**Myth #6** College students cannot vote at their college address.

**Truth** College students may choose to register and vote either at their home address or at their new college address, but not at both addresses.

**Myth #7** If you're not at a voting machine by 8 pm, you can't vote.

**Truth** Everyone waiting in line when the polls close at 8 p.m. must be allowed to vote.

**Myth #8** Voters going through foreclosure can't vote.

**Truth** Voters can vote in that location until the foreclosure process is complete, and even if they end up homeless, homeless people can still vote at any address they regularly spend time at (such as a homeless shelter).

**Myth #9** When I walked in, the light was already lit showing McCain (or other candidates) as my choice. I'm worried the voting machine was rigged to cast votes for particular candidates before voters even walk into the voting booth.

**Truth** When some voters walk into the booth, the button for Candidate X is already lit because the prior voter cast his/her vote for Candidate X but forgot to press the "cast vote button" to register their vote. The voter can inform the poll workers of the problem, and they will cast the prior vote and clear the machine for your vote.

**Myth #10** I accidentally chose McCain before hitting the cast vote button, but the machine wouldn't switch my vote when I pressed the Obama button. I'm worried the machine was rigged for McCain.

**Truth** On most machines in New Jersey, *a voter must press the button for the accidentally selected candidate a second time* to unselect the candidate and extinguish the light, and then can hit the appropriate button for the candidate of choice.

**Myth #11** If you get sick on election day and can't go to the polls, you can't vote.

**Truth** Although the ability to get an absentee ballot in person at the County Clerk expires at 3 pm the day before the election, voters can still vote by emergency ballot with a Judge's order. The authorized messenger requesting the Judge to grant an emergency ballot must be a family member of the sick voter or a registered voter in the applicable county, must show photo ID, and cannot be a candidate in the election.

**Myth #12** Felons are barred from voting for life.

**Truth** Felons, no matter how many convictions they have, can vote *as long as they are off probation or parole by election day and they have re-registered after their felony conviction*. People who are on probation or even in jail for disorderly persons offense convictions (misdemeanors in other states) are still eligible to vote.